

802-594

02/02/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

FEB 2 - 2009

Rebecca M. Horton  
Consultant/Agent for  
Central Garden & Pet dba Lilly Miller Brands  
1330 Treat Blvd., Suite 650  
Walnut Creek, CA 94597

Re: Notification of Minor Label Changes  
EPA Reg No.: 802-594  
Date of Submission: December 19, 2008

Dear Mrs. Horton:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated December 19, 2008, for the product Lilly Miller® Blackberry & Brush Killer. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

Linda Arrington *for*  
Notifications & Minor Formulations Team Leader  
Registration Division (7505P)  
Office of Pesticide Programs

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 2-28-95



United States  
Environmental Protection Agency  
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 802-594	2. EPA Product Manager Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Lilly Miller® Blackberry & Brush Killer	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Central Garden & Pet dba Lilly Miller Brands 1340 Treat Blvd., Suite 650 Walnut Creek, CA 94597 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Notification of administrative label changes: Add optional marketing statement "From Lilly Miller"  
 This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the Confidential Statement of Formula of this product. Lilly Miller Brands understands that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA, and further understands that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and Lilly Miller Brands may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 PT / 1 QT		5. Location of Label Directions <input checked="" type="checkbox"/> on label/attached booklet	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Rebecca M. Horton	Title Consultant/Agent for Lilly Miller Brands	Telephone No. (Include Area Code) 540-375-8826
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment both under applicable law.		6. Date Application Received (Stamped)
2. Signature <i>Rebecca M Horton</i>	3. Title Consultant/Agent for Lilly Miller Brands	
4. Typed Name Rebecca M. Horton	5. Date Dec. 19, 2008	



**LILLY MILLER®  
BLACKBERRY & BRUSH KILLER**

[Additional brand name(s): Lilly Miller® Hose 'N Go!® Blackberry & Brush Killer]

For use on woody plants in outdoor areas

Kills woody plants and deep-rooted weeds including blackberries, poison oak and Scotch broom

Kills blackberry(ies), kudzu, poison oak, poison ivy, mesquite, sumac, scotch broom, horsetail rush, and most other woody plants (many kinds of woody plants)

Kills completely-stumps and roots won't grow

Provides a complete kill; No regrowth from the roots

You may replant in treated area in just 1 month (Treated area may be replanted one month after use)

With Crossbow

Connect & Spray Applicator

Also kills Blackberries, Poison Oak, Poison Ivy, and other listed plants

Kills Kudzu, Blackberries, Poison Oak, Poison Ivy, Sumac, and other listed plants

Kills tough brush [and vines] – roots and all

Covers 4,000 square feet

From Lilly Miller

**ACTIVE INGREDIENT:**

Triclopyr (3,5,6-trichloro-2-pyridinyloxyacetic acid),  
triethylamine salt\* ..... 8.0%

OTHER INGREDIENTS..... 92.0%

\*Equivalent to 5.7% acid.

**Keep out of reach of children**

**CAUTION**

See back/side/other panel(s) [attached booklet] for additional Precautionary Statements & First Aid

NET CONTENTS 1 QUART (946 ml)

**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**CAUTION:** Causes eye irritation. Harmful if swallowed, inhaled, or absorbed through the skin. Avoid contact with eyes, skin or clothing during and after application. Avoid breathing spray mist. When applying this product, wear a long-sleeved shirt, long pants, shoes and socks, and waterproof gloves. Wash thoroughly with soap and water after handling. Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the treated area during application. Do not allow people or pets onto treated areas until sprays have dried.

**USER SAFETY RECOMMENDATIONS**

- Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Users should remove protective clothing and equipment immediately after handling this product. Wash the outside of gloves before removing. Keep and wash protective clothing and equipment separately from other laundry.

**FIRST AID**

Have product container or label with you when calling a poison control center or doctor, or going for treatment.

If swallowed: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

If inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.

If on skin or on clothing: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

If in eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

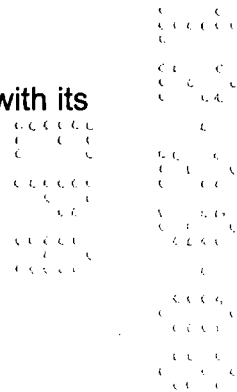
**ENVIRONMENTAL HAZARDS**

Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters and rinsate. This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

**DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For household use only. Not for use indoors.

- Controls horsetail rush
- Makes up to 8 gallons of spray
- Easy to apply with a pump-up or hose-end sprayer
- Won't harm the soil-replant in just 1 month





Mixing and Measuring - Shake well before using.

It's a good idea to have a separate sprayer just for weed and brush killers, to avoid mix-ups.

Use this amount of Blackberry & Brush Killer	in this amount of water	to cover this area
1/2 - 1 cup (4 - 8 fl. oz.)	1 gallon	500 sq. ft.
1 - 2 cups (8 - 16 fl. oz.)	2 gallons	1000 sq. ft.
1-1/2 - 3 cups (12 - 24 fl. oz.)	3 gallons	1500 sq. ft.

Use the higher amounts when conditions are especially dry and on mature or hard to kill brush (such as ash, blackgum, chokecherry, elm, maple, oak, pine or winged elm), to prevent resprouting. Coverage will vary somewhat depending on the amount of brush to be sprayed.

What will I see?

In one to six weeks the leaves will begin to wilt, turn brown and drop off.

Stump Treatment:

Blackberry & Brush Killer can also be used to prevent woody plants and trees from sending up sprouts from the roots. Right after the tree or bush has been cut down, apply Blackberry & Brush Killer to the stump. Use the product straight from the bottle, do not add water. Use a paint brush or small sprayer to completely cover the freshly cut surface. Do not reuse the paint brush; wrap it in several layers of newspaper and discard it in the trash. Blackberry & Brush Killer will be absorbed into the roots and reduce the number of sprouts coming up in the lawn and surrounding areas.

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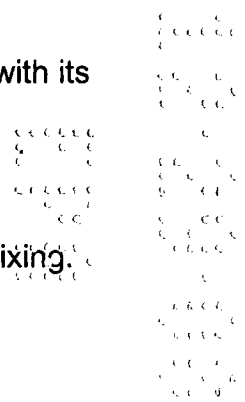
Alternate Directions For Use for container sold with hose-end sprayer attached:

**DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For household use only. Not for use indoors.

No mix, no measure—just attach to a garden hose and spray

The easy-to-use sprayer attaches right to your garden hose. There's no mixing. Use only what you need, then put it away for next time.



**WHAT IS THIS PRODUCT? AND WHAT WILL IT DO?**

**BLACKBERRY & BRUSH KILLER** kills blackberry vines plus many woody plants and deep-rooted perennial weeds. It kills completely -- above and below the ground -- so stumps and roots won't regrow.

The easy-to-use sprayer attaches right to your garden hose. There's no mixing. Use only what you need, then put it away for next time.

Use **BLACKBERRY & BRUSH KILLER** to kill these plants:

Alder, Ash, Aspen, Beech, Birch, Blackberry, Box Elder, Cascara (Buckthorn), Cherry, Chinquapin, Choke Cherry, Cottonwood, Dogwood, Elderberry, Elm, Hawthorn, Honeysuckle, Horsetail Rush (Field), Kudzu, Locust, Madrone, Maples (except Bigleaf and Vine), Mesquite, Mimosa, Mulberry, Oaks, Poison Ivy, Poison Oak, Poplar, Raspberry, Scotch Broom, Sumac, Sweetgum, Tanoak, Thimbleberry, Wild Grape, Wild Rose, Willow.

**HOW DO I USE THIS PRODUCT?**

When to use: Spray brush anytime it is actively growing: In spring, after leaves are fully open; in summer, when there is sufficient water; or in the fall before leaves begin to change color.

What to do: There is no mixing or measuring with **BLACKBERRY & BRUSH KILLER**. See the section "TO USE THIS SPRAYER" for operating instructions.

Spray when the air is calm and there is no wind. Wet the brush completely with the spray. This product works through the leaves and bark -- excess spray that runs off onto the soil will not improve control. After leaves have dropped off (4 - 6 weeks after spraying), cut down the brush and dispose of it. Once the brush is gone, the area may be replanted.

What not to do: **DO NOT** spray when it is windy. **DO NOT** allow spray mist to drift onto vegetables, flowers, ornamental shrubs and trees, small fruits, fruit trees, or any other desirable plants. They will be damaged. **DO NOT** use this product around vegetables, fruits or other plants you eat. **DO NOT** spray when rain is expected within 24 hours. **DO NOT** water the area for 24 hours after spraying or effectiveness may be reduced.

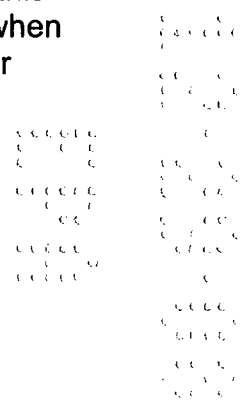
**TO USE THIS SPRAYER:**

Sprays up to 20 feet!

1. Shake container well.
2. Connect spray nozzle to garden hose.
3. Turn on the water from the faucet.

EPA Reg. No. 802-594

EPA Est. No. 33518-CN-1A, 44616-MO-1B, 19713-MS-1c,  
11715-TN-1D, 5905-AR-1E, 5905-GA-1F







To the extent consistent with applicable law, the registrant guarantees this product to the extent of the purchase price, only when used according to label directions.

IN CASE OF EMERGENCY CALL: xxx-xxx-xxxx

LILLY MILLER BRANDS  
1340 Treat Blvd., Suite 650  
Walnut Creek, CA 94597

www.lillymiller.com  
Printed in U.S.A.  
[Product of Canada]

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[Lot No. to be added at production]

